

Message

From: Hicks, Matt [Hicks.Matthew@epa.gov]
Sent: 12/31/2020 8:09:32 PM
To: Armor, Suzanne [Armor.Suzanne@epa.gov]; Gettle, Jeaneanne [Gettle.Jeaneanne@epa.gov]; McGill, Thomas [McGill.Thomas@epa.gov]; Calli, Rosemary [Calli.Rosemary@epa.gov]; Laycock, Kelly [Laycock.Kelly@epa.gov]; Creswell, Michael [Creswell.Michael@epa.gov]; Nagrani, Kavita [Nagrani.Kavita@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]
CC: Pugh, Katherine [Pugh.Katherine@epa.gov]
Subject: RE: FL 404 assumption consultation with Miccosukee and Corps

Flag: Follow up

I would invite Tod and Simma. I also know that Jess Kramer has been following the NHPA issue very closely for Dave Ross so we may consider including her. I defer to Jeaneanne and Kathy/Mindy on that.

From: Armor, Suzanne <Armor.Suzanne@epa.gov>
Sent: Thursday, December 31, 2020 2:51 PM
To: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Pugh, Katherine <Pugh.Katherine@epa.gov>
Subject: RE: FL 404 assumption consultation with Miccosukee and Corps

By way of follow-up, I asked the Tribe if they would like to include FDEP in our January 11 consultation meeting, and they do NOT want FDEP to be part of that conversation, at least for the time being. So we will proceed in scheduling the meeting just between the MTIF, the EPA, and the Corps.

As far as our attendees, I'm going to include everyone on this email, as well as Kathy Hurd, Whitney Beck, and Mindy Eisenberg in OW. Is that accurate? Are there others from the EPA we should include (e.g., OGC)? I'd like to get the save-the-date out on Monday if possible.

Thanks,
Suzanne

From: Armor, Suzanne
Sent: Wednesday, December 30, 2020 3:09 PM
To: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Pugh, Katherine <Pugh.Katherine@epa.gov>
Subject: FL 404 assumption consultation with Miccosukee and Corps

Hi, everyone –

It recently came to my attention through the Corps that FDEP (Kelly Chase, Tribal Liaison) has asked the Miccosukee Tribe of Indians of Florida for a meeting with EPA and FDEP to discuss, among other issues, the transfer of two outstanding permits to FDEP (see attached). These are two permits which the Tribe has specifically requested the Corps retain its jurisdiction over.

After discussing with Cindy Thomas, the Corps' Tribal Coordinator, we both feel that it would be prudent to ask the Tribe if they would like to include FDEP in our upcoming consultation meeting (tentatively scheduled for January 11, pending confirmation from all parties). This would lend to a more fulsome and open dialogue with all parties involved. It should

be noted that the fact that we engage in government-to-government consultation does not mean we are precluded from including non-US parties; the Tribe just needs to want those non-US parties to be part of the discussion. Unless you all feel otherwise, I am strongly suggesting that we ask the Tribe if they would like us to include FDEP in that meeting.

I would also suggest that we schedule a pre-meeting with the Corps during the week of 1/4/21 to go over talking points and come up with a run-of-show. I'm happy to schedule that pre-meeting and put together a draft presentation to go over some of the issues that the Tribe has identified for discussion (specifically as it relates to the status of certain lands as Indian country), but I do not want to step on anyone's toes here. Please advise what role you'd like me play in this discussion so I can best support this effort.

Thanks, and happy New Year!
Suzanne



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